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09/552,984	04/21/2000	Sai V. Allavarpu	5181-48200	7121

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EXAMINER
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DINH, KHANH Q

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 11/12/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

P24

# Office Action Summary

Application No.

09/552,984

Applicant(s)

ALLAVARPU ET AL.

Examiner

Khanh Dinh

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Since this application is eligible for the transitional procedure of 37 CFR 1.129(a), and the fee set forth in 37 CFR 1.17(r) has been timely paid, the finality of the previous Office action is hereby withdrawn pursuant to 37 CFR 1.129(a). Applicant's first submission after final filed on 8/20/2003 has been entered. Claims 1-39 are presented for examination.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 1-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Barker et al US pat. No. 6,363,421.

Art Unit: 2155

As to claim 1, Barker discloses a network management system comprising:

generating one or more events (generating object applications 44 and 50 of fig.2) and an event gateway (32 fig.2) to deliver events to one or more managers (28 and 80 fig.3) separated from the event gateway (*i.e., using communication between the element system and the managed elements via ~~SNMP~~ <sup>SNMP</sup>*, see figs.2, 3, col.4 lines 6-67, col.col.5 line 2 to col.6 line 52 and col.11 line 15 to col.12 line 31) and a platform-independent interface to the event gateway, wherein the event gateway is configurable to communicate with the managers through the platform independent interface to deliver the events generated by the managed objects (see abstract, fig. 1A, 2, col.3 line 47 to col.4 line 64), wherein the gateway is configurable to provide the managers with subscriptions to the events as a function of event criteria specified by the managers, whereby events meeting the specified event criteria are delivered and events failing to meet the specified event criteria are filtered out (*i.e., using alarm notifications to the element management system via SNMP, see col.4 line 65 to col.6 line 52, col.10 line 52 to col.12 line 61 and col.17 lines 3-59*).

As to claim 2, Barker discloses the event criteria comprising an object class for the managed objects generating the events (see figs.2, 3, col.12 line 34 to col.14 line 33 and col.17 lines 3-59).

As to claim 3, Barker discloses the event criteria comprise an object instance for one of the managed objects generating the events (see col.12 line 34 to col.14 line 33 and col.17 lines 359).

Art Unit: 2155

As to claim 4, Barker discloses the event criteria comprise an event type (see col.12 line 34 to col.14 line 33 and col.15 line 36 to col.16 line 12).

As to claim 5, Barker discloses the platform-independent interface to the event gateway is expressed in an interface definition language, and wherein the interface definition language comprises a language for defining interfaces to managed objects across a plurality of platforms and across a plurality of programming languages (see col.12 line 34 to col.14 line 33 and col.15 line 36 to col.16 line 12).

As to claim 6, Barker discloses the interface definition 5 language comprising OMG 1DL interface (see fig.4, col.7 line 38 to col.8 line 67 and col.9 line 20 to col.10 line 52).

As to claim 7, Barker discloses the managed objects comprise one or more objects corresponding to a telephone network (see col.3 line 47 to col.4 line 36 and col.7 line 38 to col.8 line 67).

As to claim 8, Barker discloses an object corresponding to a telecommunications device (see col.3 line 47 to col.4 line 36 and col.7 line 38 to col.8 line 67).

As to claim 9, Barker discloses an event distribution server, wherein the event distribution server is configurable to listen for the events generated by the one or more managed objects and delivering the events to the one or more managers (see also figs. 4 and 9, col.21 line 25 to col.23 line 64 and col.24 lines 7-63).

As to claim 10, Barker discloses an event port registry server comprising one or more event ports and an event port registry, wherein the event port registry server is coupled to the event distribution server, wherein the event ports comprise communication channels for the delivery of the events to the one or more managers, and wherein the event port registry provides information to the event distribution server regarding which ports correspond to which managers (see col.9 line 22 to col.10 line 49, col.14 line 35 to col.15 line 32).

As to claim 11, Barker discloses the event distribution server comprising an event distribution server source which listens for the events from the one or more managed objects and one or more event distribution server sinks which are operable to dispatch the events to the one or more managers as a function of the subscriptions (see col.9 line 22 to col.10 line 49 and col.19 line 13 to col.20 line 59).

As to claim 12, Barker discloses the event distribution server sinks are distributed to provide load balancing (see col.29 line 27 to col.30 line 42 and col.37 line 4 to col.38 line 63).

As to claim 13, Barker discloses the events are delivered through the platform-independent interface according to Internet Inter-Object Protocol (see col.9 line 9 to col.10 line 48).

As to claim 14, Barker discloses: registering a subscription of a manager application to one or more events (44 and 50 of fig.2) generated by one or more managed objects by specifying event

Art Unit: 2155

criteria to an event gateway (32 fig.2, *i.e., using communication between the element system and the managed elements via <sup>SNMP</sup> ~~SMNP~~*, col.4 lines 6-67), wherein the one or more managed objects which generate the one or more events are separate from the event gateway (32 fig.2) (using Java Applications 44 of fig.3 to control Object Server 66 of fig.3 for managing different service requests, see col.5 line 1 to col.6 line 52 and col.8 lines 1-64), wherein the event gateway is configurable to communicate with the manager application through a platform independent interface and generating a plurality of events including one or more events matching the specified event criteria (see abstract, fig. 1A, 2, col.3 line 47 to col.4 line 64).

determining whether the specified event criteria are met for each of the plurality of generated events and delivering each event for which the specified event criteria are met (see col.9 line 22 to col.10 line 49 and col.19 line 13 to col.20 line 59).

Claims 15-26 are rejected for the same reasons set forth in claims 2-13 respectively.

As to claim 27, Barker discloses:

generating one or more managed objects by specifying event criteria (generating object applications 44 and 50 of fig.2) to an event gateway (32 fig.2) to deliver events to one or more managers (28 and 80 fig.3) separated from the event gateway (*i.e., using communication between the element system and the managed elements via SMNP*, see figs.2, 3, col.4 lines 6-67, col.5 line 2 to col.6 line 52 and col.11 line 15 to col.12 line 31), wherein the event gateway is configurable to communicate with the manager application through a platform independent interface (see abstract, figs. 1A, 2, col.3 line 47 to col.4 line 64).

generating a plurality of events including one or more events matching the specified event criteria and determining whether the specified event criteria are met for each of the plurality of generated events and delivering each event for which the specified event criteria are met (i.e., using alarm notifications to the element management system via SNMP, see col.4 line 65 to col.6 line 52, col.10 line 52 to col.12 line 61 and col.17 lines 3-59).

Claims 28-39 are rejected for the same reasons set forth in claims 2-13 respectively.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-39 have been fully considered but they are found not persuasive.

Applicant asserts that the Barker reference does not disclose generating one or more events from a separate event gateway

*Examiner point out that Berker clearly discloses generating one or more events (object applications 44 and 50 of fig.2) and an event gateway (32 fig.2) to deliver events to one or more managers (28 and 80 fig.3) separated from the event gateway (i.e., using communication between the element system and the managed elements via <sup>SNMP</sup>~~SMNP~~, see figs.2, 3, col.4 lines 6-67, col.col.5 line 2 to col.6 line 52 and col.11 line 15 to col.12 line 31) as rejected above.*

#### ***Conclusion***

5. Claims 1-39 are rejected.



6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam Hosain, can be reached on (703) 308-6662. The fax phone number for this group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

Application/Control Number: 09/552,984  
Art Unit: 2155

Page 9

Khanh Dinh  
Patent Examiner  
Art Unit 2155  
11/10/2003

  
**HOSAIN ALAM**  
**SUPERVISORY PATENT EXAMINER**